

Misbranding was alleged for the reason that the articles were labeled in part as follows, "Distilled Spirit Vinegar," or "Distilled White Vinegar * * * Guaranteed by C. W. Davis under the Food and Drugs Act of June 30, 1906," as the case might be, which labelings were false and misleading and deceived and misled the purchaser by representing that the articles were vinegar, whereas, in truth and in fact, the articles were not vinegar, but were substances consisting in part of water, and for the further reason that the articles were imitations of, and were offered for sale under the distinctive name of, another article, to wit, vinegar.

On March 15, 1921, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

9186. Adulteration and misbranding of cider vinegar. U. S. * * * v. 5 Dozen Bottles and 29 Dozen Bottles * * * of Alleged Cider Vinegar. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 13976, 13977. I. S. Nos. 8676-t, 8677-t. S. No. E-2902.)

On November 30, 1920, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the Supreme Court of the District aforesaid, holding a district court, libels for the seizure and condemnation of 5 dozen bottles and 29 dozen bottles, more or less, of alleged cider vinegar, at Washington, D. C., alleging that the article had been offered for sale and sold at the District aforesaid, by C. W. Davis & Son, Washington, D. C., on or about August 26 and September 20, 1920, respectively, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled, "Pure Cider Vinegar Made From The Juice of Fresh Apples 16 oz. C. W. Davis & Son, Washington, D. C."

Adulteration of the article was alleged in the libels for the reason that a substance, to wit, water, had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, and had been substituted in whole or in part for pure cider vinegar, which the article purported to be, and for the further reason that a valuable constituent of the article, to wit, acetic acid, had been wholly or in part abstracted.

Misbranding was alleged for the reason that the article was labeled, "Pure Cider Vinegar Made from the Juice of Fresh Apples," which labeling was false and misleading and deceived and misled the purchaser thereof by representing that the article was pure cider vinegar, made from the juice of fresh apples, whereas, in truth and in fact, the article was not pure cider vinegar, made from the juice of fresh apples, but was a substance deficient in acetic acid, and for the further reason that the article was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, pure cider vinegar made from the juice of fresh apples.

On March 15, 1921, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

9187. Adulteration and misbranding of alleged white vinegar. U. S. * * * v. 11½ Dozen Bottles * * * of Alleged White Vinegar. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13986. I. S. No. 8684-t. S. No. E-2908.)

On December 3, 1920, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the Supreme

Court of the District aforesaid, holding a district court, a libel for the seizure and condemnation of 11½ dozen bottles, more or less, of alleged white vinegar, at Washington, D. C., alleging that the article had been offered for sale and sold at the District aforesaid, by C. W. Davis & Son, Washington, D. C., on or about November 16, 1920, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Pure White Vinegar Made From Grain C. W. Davis & Son, Washington, D. C. * * * 32 oz."

Adulteration of the article was alleged in the libel for the reason that a substance, to wit, excessive water, had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, and had been substituted in whole or in part for white vinegar, which the article purported to be, and for the further reason that water had been mixed with the article in a manner whereby damage or inferiority had been concealed.

Misbranding of the article was alleged for the reason that it was labeled "Pure White Vinegar Made From Grain," which labeling was false and misleading and deceived and misled the purchaser by representing that the article was pure white vinegar made from grain, whereas, in truth and in fact, it was not, but was a substance deficient in acetic acid, and for the further reason that the article was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, pure white vinegar made from grain.

On March 15, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

9188. Misbranding of cider vinegar. U. S. * * * v. 41 Dozen Bottles * * * of Cider Vinegar. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 14206. I. S. No. 8693-t. S. No. E-3028.)

On January 18, 1921, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the Supreme Court of the District aforesaid, holding a district court, a libel for the seizure and condemnation of 41 dozen bottles, more or less, of cider vinegar, at Washington, D. C., alleging that the article had been offered for sale and sold at the District aforesaid, by C. W. Davis & Son, Washington, D. C., and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Pure Cider Vinegar Made From The Juice Of Fresh Apples 32 oz. C. W. Davis & Son, Washington, D. C. * * *"

Misbranding of the article was alleged in the libel for the reason that the bottles containing the article were labeled "32 oz.," which labeling was false and misleading and deceived and misled the purchaser by representing that the bottles contained 32 ounces of the article, whereas, in truth and in fact, said bottles contained a less amount, and for the further reason that the article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On March 15, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*